

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF PENNSYLVANIA

STEVEN ALLAN SHAWLEY,)	
Plaintiff)	
)	
vs.)	Civil Action No. 09-883
)	Judge Nora Barry Fischer/
PENNSYLVANIA DEPARTMENT OF)	Chief Magistrate Judge Amy Reynolds Hay
CORRECTIONS; JEFFREY BEARD,)	
Secretary of PA Dept. Of Corrections;)	
JAMES BARNACLE (Director-Opr) PA.)	
Dept. Of Corrections; SHIRLEY SMEAL,)	
(Deputy Secretary) PA. Dept. of)	
Corrections; MARK GARMAN (Staff)	
Assistant to Shirley Smeal); DAVID)	
FARNEY, Office of Chief Counsel; JOHN)	
PALOKOVICH (Facility Manager); DEP.)	
SUPERINTENDENT SOUTHERS)	
(Deputy Superintendant - SCI Camp Hill);)	
RENE ZOBOTNIE (Unit Manager SCI -)	
Camp Hill); BRIAN COLEMAN (Facility)	
Manager) SCI - Fayette; UNIT MGR.)	
STEVEN GATES (Deputy Superintendant))	
SCI - Fayette; ERIC ARMEL (Deputy)	
Superintendent) SCI - Fayette; SHERWOOD))	
HUGHES (Unit Manager) SCI - Fayette;)	
DARLENE UNDERWOOD (Mail Room)	
Supervisor) SCI - Fayette; P.A. MYER)	
Physicians Assistant) SCI - Fayette; MR.)	
TRETNICK (Corrections Healthcare)	
Administrator) SCI - Fayette; MICHAEL)	
ZAKEN (Major of Corrections) SCI -)	
Fayette; SCOTT NICKELSON (Acting)	
Deputy Superintendent) SCI - Fayette;)	
COUNSELER LINK (Counselor) SCI -)	
Fayette; CAPTAIN FONTS (Corrections)	
Officer) SCI - Fayette; CAPTAIN LEGGET)	
(Corrections Officer 4) SCI - Fayette;)	
LIEUTENANT CARBERRY (Corrections)	
Officer 3) SCI - Fayette; LIEUTENANT)	
JOHNSON (Corrections Officer 3) SCI -)	
Fayette; LIEUTENANT BLAKE)	

(Corrections Officer 3) SCI - Fayette;)
LIEUTENANT ROSS (Corrections Officer)
3) SCI - Fayette; LIEUTENANT VOJACEK)
(Corrections Officer 3) SCI - Fayette;)
LIEUTENANT BERRIER (Corrections)
Officer 3) SCI - Fayette; LIEUTENANT)
HOOPER (Corrections Officer 3) SCI -)
Fayette; LIEUTENANT RAMOWITZ)
(Corrections Officer 3) SCI - Fayette; C.O.)
WHITE (Corrections Officer 1) SCI -)
Fayette; C.O. KNEPP (Corrections Officer)
1) SCI - Fayette; C.O. MILLER)
(Corrections Officer 1) SCI - Fayette; C.O.)
ALBRIGHT (Corrections Officer 1) SCI -)
Fayette; C.O. WILLIAMS (Corrections)
Officer 1) SCI - Fayette,)
Defendants)


ORDER

AND NOW, this 2nd day of September, 2009, after the Plaintiff, Steven Allan Shawley, filed an action in the above-captioned case, and after a Motion to Proceed In Forma Pauperis was filed by Plaintiff, and after a Report and Recommendation was filed by the United States Magistrate Judge granting the parties until August 17, 2009, to file written objections thereto, and upon consideration of the objections filed by plaintiff, and upon independent review of the record, and upon consideration of the Magistrate Judge's Report and Recommendation, which is adopted as the opinion of this Court,

IT IS HEREBY ORDERED that the Plaintiff's application for leave to proceed in forma pauperis (Dkt. [1]) is denied.

IT IS FURTHER ORDERED Plaintiff is given until September 29, 2009 in which to pay the filing fee and if he fails to do so, the Court will enter an order dismissing the action for failure to prosecute.

IT IS FURTHER ORDERED that, pursuant to Rule 4(a)(1) of the Federal Rules of Appellate Procedure, if the plaintiff desires to appeal from this Order he must do so within thirty (30) days by filing a notice of appeal as provided in Rule 3, Fed. R. App. P.



NORA BARRY FISCHER
United States District Judge

cc: Honorable Amy Reynolds Hay
United States Magistrate Judge

Steven Allan Shawley
HV-0077
SCI Fayette
Box 9999
LaBelle, PA 15450-0999

All Counsel of Record by electronic filing
